



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: )

Henry Wang )

Examiner: O. Flores Sanchez )

Serial No.: 10/051,556 )

Group Art Unit: 3724 )

Filed: 01/17/2002 )

Title: STRADDLE SAFETY PUSHER SYSTEM

Mail Stop Issue Fee  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Applicant offers the following comments on the Examiner's statement of Reasons for Allowance because such statement may have unintentionally introduced some ambiguities into the scope of the claim coverage. The Examiner has included the reasons for allowance of the two independent claims (claims 2 and 23) in a single sentence, with the reasons for the two claims being separated by a comma in that single sentence. This might give the mistaken impression that all of the operational relationships presented in that single sentence are present in both of the independent claims, and that is not so.

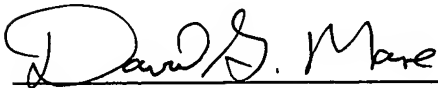
By way of example and without attempting to reiterate each of the patentability aspects that may have been discussed throughout the examination of this application, the Applicant points out that claim 2 includes the limitations of "a handle moveably attached to the top of the body and fixable in any one of a plurality of positions vertically above and horizontally between the first and second legs on either side of or directly over the center leg to position the handle at a selected location for balancing forces exerted onto the work piece relative to a cut line." Claim 23 includes similar limitations of "a handle attached to the

structure and moveably fixable at any one of a plurality of positions along a width of the structure vertically above and horizontally between the two work piece-contacting surfaces to accommodate a plurality of cut geometries by positioning the handle directly above the cut line as the structure and work piece move past the cutting device." Claim 23 goes on to include the additional limitations of "the handle being moveably fixable at a position wherein a longitudinal axis of the handle is disposed at an angle relative to a longitudinal axis of the tunnel." Claim 2 does not recite any such similar additional limitation but is allowed on the basis of the other limitations present in the claim.

Applicant respectfully submits that any ambiguities in the prosecution history that could arguably result due to inaccuracies and/or inconsistencies in the statement of Reasons for Allowance not be interpreted against the Applicant, since the express language of each of the claims arrived at via a thorough and rigorous examination should supersede and control over any after-the-fact claim-paraphrasing language that may have been used as part of the statement of Reasons for Allowance.

Applicant understands that the Examiner may review and respond to the comments set forth herein at his discretion.

Respectfully submitted,



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